

Message Text

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PAGE 01 CARACA 04003 102126 Z

73

ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

RSR-01 /085 W

----- 029071

R 102032 Z MAY 73

FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 9766
INFO AMEMBASSY BOGOTA
USCINCSO

LIMITED OFFICIAL USE CARACAS 4003

EO 11652: NA

TAGS: PGOV PINT VE

SUBJECT: CONSTITUTIONAL AMENDMENT DISQUALIFIES PEREZ JIMENEZ

USCINCSO ALSO FOR POLAD

1. FIRST AMENDMENT TO VENEZUELAN CONSTITUTION OF 1961 BECAME EFFECTIVE MAY 9, 1973, WITH CERTIFICATION BY CONGRESS OF RATIFICATION BY 16 STATES (ONLY 14 NEEDED). AMENDMENT PROHIBITS ELECTION TO PRESIDENCY, SENATE, CHAMBER OF DEPUTIES, AND SUPREME COURT OF PERSONS SENTENCED BY " ORDINARY COURTS" TO MORE THAN THREE YEARS FOR CRIMES COMMITTED IN PUBLIC OFFICE. TEXT WILL BE POUCHED.

2. PEREZJIMENISTAS WILL CHALLENGE IN SUPREME COURT DISQUALIFICATION OF CANDIDACY OF MARCOS PEREZ JIMENEZ (PJ) ON THREE GROUNDS: 1) PJ WAS CONVICTED NOT BY ORDINARY COURT BUT BY SUPREME COURT IN SPECIAL SESSION; 2) DISQUALIFICATION CANNOT BE MADE RETROACTIVE; AND 3) PROVISION IS NOT AMENDMENT BUT CONSTITUTIONAL REFORM, AND THEREFORE MUST ACCORDING TO CONSTITUTION BE SUBMITTED TO REFERENDUM. CHALLENGE HAS VERY LITTLE CHANCE OF SUCCESS, BUT WILL PERMIT PEREZJIMENISTAS TO MAINTAIN PJ CANDIDACY A WHILE LONGER, PLAYING UP MARTYR IMAGE AND KEEPING FOLLOWERS LOYAL UNTIL PJ MAKES HIS NEXT MOVE.

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MCCLINTOCK

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NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

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Disposition Authority: golinofr
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
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Subject: CONSTITUTIONAL AMENDMENT DISQUALIFIES PEREZ JIMENEZ USCINCSO ALSO FOR POLAD
TAGS: PGOV, VE, PINT
To: ARA
BOGOTA
SECSTATE WASHDC
USCINCSO
Type: TE
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